

COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)

Docket No.  
891.0002.U1(US)

In Re Application Of: **Harvejet al.**

Application No.

10/769,378

Filing Date

01/30/2004

Examiner

Holliday, Jaime Michele

Customer No.

29683

Group Art Unit

2617

Confirmation No.

7896

Invention: **Tune Cutting Feature**

COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of November 2, 2006 in the above-identified application.

Date

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **November 2, 2006** finally rejecting Claim(s) **1-16**

Applicant(s) hereby request(s) an extension of time of (check desired time period):

☐ One month ☐ Two months ☒ Three months ☐ Four months ☐ Five months

from: **February 2, 2007**

Date

until: **May 2, 2007**

Date

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

05/04/2007 RFEKADU1 00000051 10769378

01 FC:1253

1020.00 OP

Fee for Notice of Appeal: \$500.00

Fee for Extension of Time: \$1,020.00

**TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$1,520.00**

05/04/2007 RFEKADU1 00000051 10769378

The fee for the Notice of Appeal and extension of time is to be paid as follows: FC:1401

500.00 OP

☒ A check in the amount of **\$1,520.00** for the Notice of Appeal and extension of time is enclosed.

☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_

☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **50-1924**

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☐ Any patent application processing fees under 37 CFR 1.17.

☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **50-1924**

☐ Payment by credit card. Form PTO-2038 is attached.

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Invention: **Tune Cutting Feature**

**TO THE COMMISSIONER FOR PATENTS:**

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

  
Signature

Dated: May 2, 2007

David M. O'Neill (Reg. No. 35,304)  
Harrington & Smith, PC  
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Customer No. 29683

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